

***DRAFT: These minutes have not been approved by the Nebraska Board of Nursing***

**MINUTES OF THE MEETING  
OF THE  
BOARD OF NURSING**

**March 16, 2006**

**Call to Order**

Marcy Echternacht, President, called the meeting of the Nebraska Board of Nursing to order at 8:30 a.m. on March 16, 2006, in the conference room at the Staybridge Suites, Lincoln, Nebraska. Copies of the agenda were sent to Board members and other interested persons, and posted.

**Roll Call**

The following members were present:

Marcy Echternacht, RN, President  
Mary Megel, RN, Vice-President  
Jacqueline Ross, RN, Secretary  
Mary Bunger, RN  
Deanna Lloyd, LPN  
Joyce Bunger, public member  
Sandra Mann, public member  
Julie Brauer, RN  
Dawn Nickel, LPN

The following members were absent:

Crystal Higgins, RN  
Nancy Gondringer, RN

A quorum of the Board was present and the meeting convened. Also present from the Credentialing Division was Charlene Kelly, RN, Executive Director, Sheila Exstrom, RN, Nursing Education Consultant, Karen Bowen, RN, Nursing Practice Consultant, Ruth Schuldt, RN, Compliance Monitor. Present from the Investigations Division were Investigators Marletta Stark, RN, Peggy Persell, RN and Sharon Fitts, RN. Also present was Terri Nutzman, JD, Assistant Attorney General.

Two guests were also present.

**Review of Agenda**

The board reviewed the agenda.

1. M. Bunger made the motion seconded by Lloyd **that the board adopt the agenda.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

### **Review of the Consent Agenda**

The board reviewed the consent agenda.

2. J. Bunger made the motion seconded by Megel **that the board adopt the consent agenda and approved the following:**

**D.1. February 16, 2006 Board of Nursing meeting minutes**

**D.2. February 16, 2006 Education Committee meeting minutes**

**D.3. February 16, 2006 Practice Committee meeting minutes**

**3.1.1. Quarterly (October through December, 2005) NCLEX reports.**

**4.4 Disciplinary actions/dismissals since last meeting**

**4.5 Probation monitoring update**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

8:40 a.m.

### **Closed Session**

3. M. Bunger made the motion seconded by Lloyd **that the board go into closed session for the purpose of reviewing investigation reports.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

The guests left the meeting.

9:37 a.m. Meeting recessed. Fitts and Persell left the meeting

9:48 a.m. Meeting reconvened in closed session.

11:00 a.m. Meeting recessed.

11:15 a.m. Meeting reconvened in closed session.

11:35 a.m. The board came into open session. Stark and Schuldt left the meeting.

Based on the discussions held in closed session the following motions were made:

***Nancy Semler***

4. M. Bunger made the motion seconded by Megel **that the board recommend that the department deny reinstatement of Nancy Semler's RN license.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

***Sabra Trueman***

- 5 Brauer made the motion seconded by Lloyd **that the board reinstate Sabra Trueman's LPN license.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

***Beverly Bauermeister***

6. M. Bunger made the motion seconded by Megel **that the board notify Beverly Bauermeister of their intention to deny reinstatement of her LPN license.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

***Carmen Egger***

- 7, J. Bunger made the motion seconded by Megel **that the board grant Carmen Egger an unencumbered RN license by endorsement.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

***Marie Vasa***

8. Megel made the motion seconded by J Bunger **that the board grant Marie Vasa an unencumbered RN license upon successful completion of NCLEX-RN®.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

### ***Kieron Broderick***

9. J. Bunger made the motion seconded by Nickel **that the board remove the restriction to access to controlled substances on Kieron Broderick's RN license and approve the practice plan as submitted for board approval.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

11:40 a.m. The meeting recessed.

11:55 a.m. The meeting reconvened over lunch.

Kelly updated the board on recent disciplinary orders that have been received. Several orders vary from the board's recommendation.

The board has three Issues Forums remaining in 2006. Suggested topics for the Forums included:

- A conversation with Dr. Schaefer regarding philosophy and rationale for disciplinary recommendations.
- A joint meeting with the Medical Board to discuss issue of common interest.
- A discussion of criminal background checks as a requirement for licensure and guidelines for dealing with convictions.

### **Practice Committee**

The Practice Committee has tabled the discussion of the use of anesthetics for pain control until member Gondringer returns from medical leave. The committee is gathering information for an advisory opinion on nail trimming. They also have devised a schedule for a comprehensive review and regrouping of current advisory opinions.

The issue of facilities that employ licensed nurses, but have a policy that staff are not to perform CPR was discussed. The board believes that licensed nurses have a responsibility to perform CPR on residents unless a Do Not Resuscitate order is in place. The Practice Committee was directed to develop an advisory opinion on this issue.

### **Communication with other Organizations**

Board members are reminded that the Nursing Summit is scheduled for March 28 in Kearney. Kelly will send out an email listing the board members who have been registered for the summit and lodging arrangements that have been made.

The Liaison Group of Nebraska Nursing Organizations has decided to dissolve. They have asked the Nursing Leadership Coalition to take over their activities. The Coordinating Committee for the Coalition will be discussing this request.

### **Nursing News**

The spring issue of *Nursing News* will go to the publisher next week. The feature article is on the nurse's role in genetic counseling. Other topics for future feature articles were discussed. An article on parish nursing or camp nursing was suggested.

12:35 p.m. Fitts, Persell and Sue Rydberg, investigators arrived at the meeting.

It was suggested that an educational offering on mandatory reporting should be developed to coincide with the effective date of the revised mandatory reporting regulations. Another suggestion was to add a statement on the renewal form about mandatory reporting and have licensees "check" that they have read and understand the statement.

### **Nursing Licensure Compact**

The board reviewed the licensure requirements for New Hampshire and New Mexico. According to the Nurse Licensure Compact statutes in Nebraska, the board must determine if each new state that enters the compact has licensure requirements that are substantially equivalent to the requirements in Nebraska. Substantially equivalent has been defined as requiring graduation from a board-approved nursing education program and passage of the NCLEX examination.

10. Mann made the motion seconded by Lloyd **that the board has determined the licensure requirements in New Hampshire and New Mexico are substantially equivalent to the licensure requirements in Nebraska.**

Voting Aye: M Bunker, J. Bunker, Mann, Megel, Ross, Brauer, and Nickel. Voting Nay: Echternacht. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

### **Update on the Center for Nursing**

Kelly reported that Dr. Juan Ramirez is now a contracted Research Assistant with the Center for Nursing. Anne Beckius has been hired as a staff assistant. She begins employment next week. The CFN is planning a press conference and release to announce the completion of the projections study on the supply and demand for nurses in Nebraska. The press conference will hopefully be scheduled to coincide with the governor's signing of the legislation on the nursing faculty loan program. The CFN is also ready to conduct a survey of employers to determine the current nursing vacancy rate across the state.

### **Licensee Assistance Program**

Judi Liebrock was present to provide an overview and update of the services provided by the Licensee Assistance Program. Questions followed.

1:27 p.m. The meeting recessed. Fitts, Persell and Rydberg left the meeting.

1:35 p.m. The meeting reconvened.

### **Education Committee**

Megel gave an overview of the recent activities of the Education Committee. The committee has accepted the RNII application from Western Nebraska Community College, but the curriculum materials were sent back for revisions. The committee offered the following recommendations:

#### ***Hamilton College (Omaha)***

11. The Education Committee made the motion **that the Nebraska Board of Nursing accept the monitoring report as submitted by Hamilton College, Omaha Practical Nursing Program and further accepts the proposed dates of subsequent reports to be April, June, August and December.**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

#### ***Clarkson College Practical Nursing Program***

12. The Education Committee made the motion **that the Nebraska Board of Nursing approve the following curriculum changes as submitted by Clarkson College Practical Nursing Program: 1) to add Human Growth and Development and Nutrition as program prerequisites, 2) addition of a two credit hour nursing course, "Introduction to Practical Nursing" to the curriculum, 3) a decrease in credit hours of NUR 120 "Health Care of Women" from six credit hours to five credit hours, and 4) a decrease of one hour of skills lab from NUR 140 Practical Nurse Caring with Adults III from five hours to four credit hours. Finally, the Education Committee recommends that the Nebraska Board of Nursing approve the new two-hour course, "Introduction to Practical Nursing."**

Voting Aye: M Bunger, J. Bunger, Mann, Megel, Ross, Brauer, Echternacht and Nickel. Voting Nay: none. Abstain: none. Absent: Higgins and Gondringer. Motion carried.

### **Financial Report**

The board reviewed the budget status report dated 1/31/2006.

## **Legislation/Regulation Update**

Title 172 NAC Chapter 97 Regulations Governing the Approval of Nursing Education Programs is still awaiting signature by the Governor.

Title 172 NAC Chapter 102 Regulations Governing Licensed Practical Nurse Certified have been signed by the governor and are now in effect.

Title 183 NAC Chapter 6 Nursing Faculty Student Loan Program have been approved by the Attorney General and sent to the governor for signature.

Legislation:

**LB 838**            Would exempt CRNAs from the radiation training requirement.  
Status:            Still in Committee. Will not pass this year.

**LB 908**            Would exempt APRNs from the radiation training requirement.  
Status:            Indefinitely postponed.

**LB 962**            Nursing Faculty Loan Program appropriation  
Status:            On Select File

**LB 1001**          Extends physician/patient protected privileges to APRNs  
Status:            Still in Committee. Will not pass this year.

**LB 1002**          Removes the restrictions on APRN prescription of controlled substances  
Status:            On Select File.

**LB 1107**          Would allow students to self-manage diabetes in school  
Status:            Still in committee. Will not pass this year.

**LB 1148**          Would allow students to self-manage asthma in school  
Status:            Still in committee. Will not pass this year.

**LB 1254**          Would allow APRNs to manage the care of persons committed for mental health reasons.  
Status:            General file.

## **National Council of State Boards of Nursing Committee Reports**

*Policy Call:* No policy call was held last month.

*Examination Committee:* The examination committee will recommend that the House of Delegates approve the RN test plan. Effective date will be April 2007. The committee continues to discuss the alternate language examination. Additional foreign testing sites are

being considered. The NCLEX conference is coming up. Several Nebraska educators are registered for the conference.

*Practice, Regulation and Education:* Will meet in April. Held a teleconference on educational outcomes.

*Resolutions:* Conference call scheduled in April for anybody wishing to submit a resolution.

*Bylaws:* Major revisions to the Bylaws were presented at the Midyear Meeting for discussion. The comments will go back to the Leadership and Governance Committee and to Bylaws for consideration and preparation for changes to be voted on at Delegate Assembly.

*Practice Breakdown:* Resolving problems with interrater reliability with use of the TERCAP tool.

*Continued Competence:* A tool for assessing continued competence and resources for remediation were presented and discussed at the Midyear Meeting. Further refinement is needed.

*Midyear Meeting:* Issues presented at the midyear meeting that had not already been discussed were reported by those who had attended the meeting.

### **Next Meeting**

The next meeting is scheduled for April 20, 2006.

### **Adjournment**

The meeting adjourned at 2:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jacqueline Ross".

Jacqueline Ross, Secretary